

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.95a Person printing checks for financial institution; printing on checks month and year account opened; exceptions; violation as misdemeanor; penalty; civil liability; authorization to furnish information; definitions.

Sec. 95a.

(1) Except as provided in subsection (2), a person that is requested by a financial institution to print checks for an account maintained by a person at the financial institution shall obtain from the financial institution the month and year in which the account was opened, and the person shall print on the checks for that account the month and year furnished by the financial institution.

(2) A person shall not be required to comply with subsection (1) with regard to checks printed for an account if the person is informed by the financial institution for which the checks are to be printed that the checks are to be used for any of the following:

(a) An account opened before July 1, 1985.

(b) An account maintained by a corporation, partnership, association, or trust, or by an individual or individuals who use the account primarily for a business purpose or who indicate to the financial institution, at the time the account is opened, that the account is intended to be used primarily for a business purpose.

(c) An account maintained by a person who, at the time the account was opened, had maintained another deposit with the same financial institution for a period of 1 year or longer.

(d) Temporary checks to be furnished by the financial institution to a customer at the time an account is opened.

(3) A person that knowingly, wilfully, and intentionally violates this section is guilty of a misdemeanor, punishable by a fine of not more than \$100.00.

(4) A person that violates this section shall not be civilly liable for damages to any other person arising from the violation.

(5) A financial institution is authorized to furnish to a person who prints checks for the financial institution the date and year an account was opened and such information as shall be necessary for the person to determine whether the person is required to comply with subsection (1).

(6) As used in this section:

(a) "Check" means a check, draft, or other instrument that is capable of becoming a negotiable instrument evidencing a written order to a financial institution to pay the stated amount of money from an account maintained with the financial institution.

(b) "Deposit" means an insured account in a bank, savings and loan association, credit union, or other institution the accounts of which are insured by an agency of the federal government.

(c) "Financial institution" means a bank, savings and loan association, credit union, or other institution that is authorized to maintain demand accounts or other accounts where payment is made by a check.

(d) "Person" means an individual, corporation, partnership, association, business trust, or other legal entity.

History: Add. 1984, Act 275, Eff. July 1, 1985